

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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INTELLECTUAL PROPERTY LAW
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FACSIMILE COVER SHEET

APR 26 2004
OFFICIAL

Deliver to: Rosenberger, Richard A., USPTO Art Group: 2877
Facsimile No.: (703) 872-9306 Date: April 26, 2004
From: Thomas M. Coester, Reg. No. 39,637
Our Docket No.: 4956P006X Number of pages 11 including this sheet.
Application No.: 09/839,755 Filing Date: 4/19/2001
Docket Due Date(s): 4/19/2004 5/19/2004

Enclosed are the following documents:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Amendment: _____ (<u>7</u> pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (in triplicate) (_____ pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: _____
(_____ pgs) w/cover & abstract) | <input type="checkbox"/> Petition for: _____ |
| <input type="checkbox"/> Assignment & Cover Sheet (_____ pgs) | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input checked="" type="checkbox"/> Certificate of Facsimile _____ | <input type="checkbox"/> Reply Brief (_____ pgs) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Declaration & POA (_____ pgs) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Drawings: _____ sheets, _____ figures | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Extension of Time: _____ | <input type="checkbox"/> Response to Written Opinion (_____ pgs) |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> IDS & PTO/SB/08 (_____ pgs) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input checked="" type="checkbox"/> Other Facsimile Cover Sheet
<u>\$172.00 charge to Deposit Account No. 02-2666</u> | <input checked="" type="checkbox"/> Transmittal Letter |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.81)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.


Nadya Gordon

04/26/2004

Date

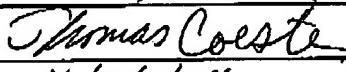
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/839,755
		Filing Date	April 19, 2001
		First Named Inventor	Mark S. Knighton
		Art Unit	2877
		Examiner Name	Rosenberger, Richard A.
Total Number of Pages in This Submission	11	Attorney Docket Number	4956P006X

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	
		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; height: 40px; margin-top: 10px;">Facsimile Cover Sheet</div>	
Remarks			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Thomas M. Coester, Reg. No. 39,637 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	4/26/09

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Typed or printed name	Nadya Gordon
Signature	
Date	April 26, 2004

Based on PTO/SB/21 (02-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 02/10/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

172.00

Complete If Known	
Application Number	09/839,755
Filing Date	April 19, 2001
First Named Inventor	Mark S. Knighton
Examiner Name	Rosenberger, Richard A.
Art Unit	2877
Attorney Docket No.	4956P006X

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account

Deposit Account Number **02-2666**Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	
1001	770	2001	385 Utility filing fee
1002	340	2002	170 Design filing fee
1003	530	2003	255 Plant filing fee
1004	770	2004	385 Reissue filing fee
1005	180	2005	60 Provisional filing fee
SUBTOTAL (1)		(\\$)	

2. EXTRA CLAIM FEES

Total Claims	-	20 th	Extra Claims	Fee from below	Fee Paid
Independent Claims	12	-	0	x 18.00	\$0.00
Multiple Dependent	8	- 6 th	2	x 86.00	\$172.00

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	
1202	18	2202 9 Claims in excess of 20	
1201	83	2201 43 Independent claims in excess of 3	
1203	290	2203 145 Multiple Dependent claim, if not paid	
1204	83	2204 43 ***Resists independent claims over original patent	
1205	18	2205 9 ***Resists claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\\$)	172.00

*or number previously paid, if greater. For Reissues, see below

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	
1051	120	2051 65 Surcharge - late filing fee or cash	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
2053	130	2053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	820 *	1804 820 * Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805 1,840 * Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	960	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	1,210	2255 605 Extension for reply within fifth month	
1404	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	2151 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,230	2501 665 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	640	2503 320 Plant issue fee	
1430	130	2460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	1809 325 Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	770	2910 325 For each additional invention to be examined (37 CFR § 1.128(d))	
1801	770	2901 325 Request for Continued Examination (RCE)	
1802	800	1802 800 Request for expedited examination of a design application	
Other fee (specify)			
Reduced by Basic Filing Fee Paid			
SUBTOTAL (3)		(\\$)	

Complete (if applicable)

Name (Print/Type)	Thomas M. Coester	Registration No. (Attorney/Agent)	39,637	Telephone	(310) 207-3800
Signature					
Date	04/26/04				

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 02/10/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2004		Complete if Known Application Number 09/839,755 Filing Date April 19, 2001 First Named Inventor Mark S. Knighton Examiner Name Rosenberger, Richard A. Art Unit 2877 Attorney Docket No. 4956P006X																																																																																																																																																																																																												
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METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued) 3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity</th> <th style="width: 15%;">Small Entity</th> <th colspan="2"></th> <th style="width: 10%;">FeePaid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th></th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or cash</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>2053</td><td>130</td><td>2053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1912</td><td>2,520</td><td>1912</td><td>2,520</td><td>For filing a request for ex parte reexamination</td></tr> <tr><td>1804</td><td>920 *</td><td>1804</td><td>920 *</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805</td><td>1,840 *</td><td>1805</td><td>1,840 *</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>400</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>860</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2,110</td><td>2255</td><td>1,065</td><td>Extension for reply within fifth month</td></tr> <tr><td>1404</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1,510</td><td>2451</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>Total Claims</td><td>12</td><td>Extra Claims</td><td>0</td><td>FeePaid</td><td>172.00</td></tr> <tr><td>Independent Claims</td><td>8</td><td>6*</td><td>2</td><td></td><td></td></tr> <tr><td>Multiple Dependent</td><td></td><td></td><td></td><td></td><td></td></tr> <tr> <td colspan="2" style="text-align: center;">Large Entity</td> <td colspan="2" style="text-align: center;">Small Entity</td> <td colspan="2"></td> </tr> <tr> <td>Fee Code</td> <td>Fee (\$)</td> <td>Fee Code</td> <td>Fee (\$)</td> <td colspan="2">Fee Description</td> </tr> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td colspan="2">Claims in excess of 20</td></tr> <tr><td>1201</td><td>68</td><td>2201</td><td>43</td><td colspan="2">Independent claims in excess of 3</td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>145</td><td colspan="2">Multiple Dependent claim, if not paid</td></tr> <tr><td>1204</td><td>68</td><td>2204</td><td>43</td><td colspan="2">**Resue independent claims over original patent</td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td colspan="2">**Resue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="2" style="text-align: center;">SUBTOTAL (1)</td> <td colspan="2" style="text-align: center;">(\$)</td> <td colspan="2" style="text-align: right;">172.00</td> </tr> <tr> <td colspan="6" style="text-align: center;">*Or number previously paid, if greater. For Resues, see below</td> </tr> <tr> <td colspan="6" style="text-align: center;">Other fee (specify) _____</td> </tr> <tr> <td colspan="6" style="text-align: center;">* Reduced by Basic Filing Fee Paid</td> </tr> <tr> <td colspan="6" style="text-align: right;">SUBTOTAL (3) (\$)</td> </tr> </tbody> </table>					Large Entity	Small Entity			FeePaid	Fee Code	Fee (\$)	Fee Code	Fee (\$)		1051	130	2051	65	Surcharge - late filing fee or cash	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	2053	130	2053	130	Non-English specification	1912	2,520	1912	2,520	For filing a request for ex parte reexamination	1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	400	2252	210	Extension for reply within second month	1253	860	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,110	2255	1,065	Extension for reply within fifth month	1404	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	2451	1,510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1,330	2453	665	Petition to revive - unintentional	1501	1,330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	Total Claims	12	Extra Claims	0	FeePaid	172.00	Independent Claims	8	6*	2			Multiple Dependent						Large Entity		Small Entity				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		1202	18	2202	9	Claims in excess of 20		1201	68	2201	43	Independent claims in excess of 3		1203	280	2203	145	Multiple Dependent claim, if not paid		1204	68	2204	43	**Resue independent claims over original patent		1205	18	2205	9	**Resue claims in excess of 20 and over original patent		SUBTOTAL (1)		(\$)		172.00		*Or number previously paid, if greater. 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SUBMITTED BY

Name (Print/Type)	Thomas M. Coester	Registration No. (Attorney/Agent)	39,637	Telephone	(310) 207-3800	
Signature					Date	04/26/04

Based on PTO/SB/M7 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

PATENT
Attorney's Docket No. 4956P006X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re Application of: }
Mark S. Knighton, et al. }
Serial No. 09/839,755 }
Filed: April 19, 2001 }
For: *Method for Elementary Depth*
Detection in 3D Imaging }

RECEIVED
CENTRAL FAX CENTER

APR 26 2004

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

In response to the Office Action mailed February 19, 2004, in connection with the above referenced patent application, Applicants respectfully request entry of the following amendments and request reconsideration in view of the following remarks.